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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

ARNOLD ABRERA,

plaintiff,

v.

GAVIN NEWSOM, in his official  
capacity as Governor of the State of  
California; ROB BONTA, in his official  
capacity as Attorney General of the State  
of California; ANNE MARIE  
SCHUBERT, in her official capacity as  
County of Sacramento District Attorney;  
COUNTY OF SACRAMENTO; BOBBY  
DAVIS, in his official capacity as Chief of  
the Elk Grove Police Department;  
JONATHAN P. HOBBS, in his official  
capacity as the City Attorney for the City  
of Elk Grove; CITY OF ELK GROVE;

defendants.

No. 2:22-cv-01162 JAM DB

**PLAINTIFF'S *EX PARTE***  
**APPLICATION FOR AN ORDER**  
**EXTENDING TIME AND LEAVE**  
**OF COURT TO FILE OPPOSITION**  
**TO DEFENDANTS' MOTIONS TO**  
**DISMISS; DECLARATION OF**  
**GARY W. GORSKI**

**Date:** January 9, 2024

**Time:** 1:00 p.m.

**Courtroom:** 6

**Judge:** The Honorable John A. Mendez

**Location:** Courtroom 27, 8th floor  
501 I Street

Sacramento, CA

**Trial Date:** None Set

**Action Filed:** July 5, 2022

1           **TO DEFENDANTS** GAVIN NEWSOM, in his official capacity as Governor of the State  
2 of California; ROB BONTA, in his official capacity as Attorney General of the State of  
3 California; ANNE MARIE SCHUBERT, in her official capacity as County of Sacramento  
4 District Attorney; COUNTY OF SACRAMENTO; BOBBY DAVIS, in his official capacity as  
5 Chief of the Elk Grove Police Department; JONATHAN P. HOBBS, in his official capacity as  
6 the City Attorney for the City of Elk Grove; CITY OF ELK GROVE.

8           PLEASE TAKE NOTICE that Plaintiff requests leave of court to file his oppositions to  
9 defendants' Motions to Dismiss to **Tuesday, December 12, 2023**, which is 28 days prior to the  
10 hearing date of January 9, 2024.

11           This is the first time an extension has been requested, and the time has passed to file an  
12 opposition, and therefore, leave of court is requested.

13           Plaintiff submits this application, supported by the attached Declaration of Gary W.  
14 Gorski. Mr. Gorski was unaware of the 2022 rule modification, wherein opposition dates were  
15 traditionally calculated from the date of the hearing instead of the filing date of the motion. The  
16 longstanding prior rule, in effect for decades as far back as Mr. Gorski can recall, deviated from  
17 the recent 2022 change.

18           Mr. Gorski's error stems from his extensive experience with calendaring dates over the  
19 decades. It is crucial to note that this oversight was not the plaintiff's fault. The rule alteration  
20 came to Mr. Gorski's attention only after the County filed a reply today.

21           Mr. Gorski made an honest mistake, and argues good cause is shown in granting this  
22 application.

23  
24  
25  
26 DATED: December 6, 2023

Respectfully submitted,  
LAW OFFICES OF GARY W. GORSKI  
/s/ Gary W. Gorski  
GARY W. GORSKI  
Attorney for Plaintiff Arnold Abrera